

**IN THE UNITED STATES DISTRICT COURT**  
**FOR THE DISTRICT OF DELAWARE**

|                                  |   |                      |
|----------------------------------|---|----------------------|
| ELSMERE PARK CLUB, L.P. a        | ) |                      |
| Delaware limited partnership,    | ) |                      |
|                                  | ) |                      |
| Plaintiff,                       | ) |                      |
|                                  | ) |                      |
| v.                               | ) | C.A. No. 04-1321-SLR |
|                                  | ) |                      |
| TOWN OF ELSMERE, a Delaware      | ) |                      |
| Municipal corporation,           | ) |                      |
| ELLIS BLOMQUIST, EUGENE BONEKER, | ) |                      |
| and JOHN DOES (1-10),            | ) |                      |
|                                  | ) |                      |
| Defendants.                      | ) |                      |

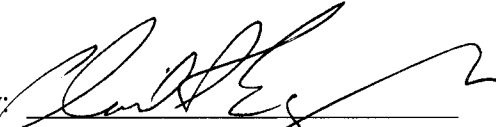
## STIPULATION AND ORDER

IT IS HEREBY STIPULATED by the parties, pursuant to Fed. R. Civ. P. 15 and Local Rule 15.1, subject to the approval of the Court, as follows:

1. The Plaintiff may file a First Amended Complaint. A blacklined version of the First Amended Complaint showing the changes to the Complaint is attached hereto as Exhibit A. A clean copy of the First Amended Complaint is attached hereto as Exhibit B.
2. The First Amended Complaint shall be deemed filed on March 23, 2005.
3. The caption of this matter shall be amended to conform with the caption of the First Amended Complaint.

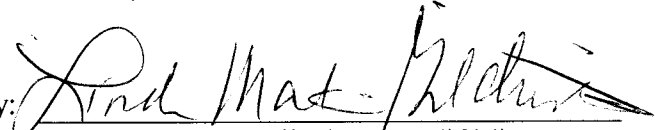
4. Defendants shall have twenty (20) days from the date the First Amended Complaint is served on counsel for all defendants to file an Answer or responsive pleading on behalf of defendants.

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Attorneys for Defendant Town  
of Elsmere

**SO ORDERED** this \_\_\_\_\_ day of \_\_\_\_\_, 2005.

\_\_\_\_\_  
Honorable Sue L. Robinson